Safer Spaces: Policies and Procedures to Address Discrimination, Harassment, and Retaliation

I. Purpose and Scope of Policy

A. Introduction
   Part of the three-fold purpose of Calvin College is "to perform all our tasks as a caring and diverse community." Each person - faculty, staff, student, trustee, volunteer, visitor, contractor, and vendor - who has chosen to engage with the Calvin community thereby affirms he or she is willing to uphold the community's stated standards of conduct and insure that Calvin College provides a safe environment for students, staff, faculty, and guests of the college.

   Discrimination, harassment, and retaliation of any form are a violation of a person’s rights, dignity, and integrity. Such acts debase the integrity of the educational process and are contrary to the mission and values of Calvin College. In response to any reported misconduct, the college will take appropriate steps to eliminate the misconduct, prevent its recurrence, and address its effects. The college will review and investigate all reports, and provide for fair and impartial evaluation and resolution. Retaliation is prohibited against a person who makes a report of discrimination or harassment.

B. Purpose of Policy
   The purpose of this policy is to provide the Calvin College community with a set of behavioral standards, common understanding of definitions and key concepts, descriptions of prohibited conduct, and processes for submitting, investigations and resolving complaints. The policy is intended to protect and guide those who have been affected by discrimination and harassment whether as a complainant, a respondent, or a third party.

   This policy also identifies resources and support for all members of the college community, identifies appropriate administrators and describes their roles, provides information about how to make a report, and provides information about how a report will be evaluated and resolved.

C. Scope
   The policies below are subject to resolution using the college’s Complaint Resolution Process. Regardless of the status of the parties involved, the resolution process is available to students, student organizations, staff, faculty, administrators, trustees, volunteers, visitors, contractors, and vendors. This policy also extends to the college the right to act on incidents occurring on-campus, at college-sponsored events and programs, off-campus, and online conduct when the college determines that such conduct affects substantial college interests.

   This policy also supersedes all current college policies pertaining to discrimination, harassment, and retaliation.

D. Inquiries
   The Associate Vice-President for Human Resources at Calvin College serves as the college’s Safer Spaces administrator (SSA) and will oversee the implementation of all civil rights policies and
claims, including those arising under Title IX, related to discrimination and harassment. The administrator is charged with directing the college’s efforts to end alleged discrimination, prevent its recurrence, and remedy its effects on individuals and the Calvin community. Reports of discrimination, harassment and/or retaliation should be promptly reported to the SSA or one of the college’s Safer Spaces Coordinators.

Inquiries about these policies and procedures may be made internally to:

Mr. Todd Hubers
Associate Vice-President for Human Resources
Youngsma Center 238
Calvin College
Grand Rapids MI 49548

616.526.8754
Email: thubers@calvin.edu

The SSA is supported by several Safer Spaces Coordinators from student life, staff, faculty, and athletics. Coordinators, assigned by appointment or as part of their position, carry out training, education, and climate checks on campus. They provide oversight of procedures that promptly and equitably eliminate discrimination and harassment, prevent its recurrence, and address its effects on individuals and the Calvin community. Finally, the Coordinators organize and direct the review, inquiry, and resolution of reports and ensure that all appropriate interim measures are implemented.

An up-to-date list of Safer Spaces Coordinators for students, staff, faculty, and athletics can be found here: link: http://www.calvin.edu/about/safer-spaces/

Complaints alleging discrimination, harassment, and retaliation should be directed to the SSA or one of the Coordinators. The process for submitting complaints is covered elsewhere, below, in this Policy. Complaints can be made in person, submitted through one of the college’s online reporting mechanisms (Link: http://www.calvin.edu/about/safer-spaces/) and/or by using the college’s reporting hotline telephone number 1-866-943-5787.

II. College Policies related to Safer Spaces

A. Discrimination and Harassment

Several Federal, State and local laws prohibit discrimination and harassment in employment on the basis of legally protected characteristics. In addition, Title IX of the Federal Civil Rights Act, and the Federal Clery Act, prohibit discrimination, including harassment and violence, on the basis of gender and sex in federally funded educational programs and activities.

In employment, in access to educational opportunities, and in all other areas of College life, Calvin College prohibits unlawful discrimination and harassment on the basis of race, ethnicity, color, national origin, age, religion, disability, gender, marital status, veteran status, family
status, height, weight, sexual orientation and any other characteristics protected by federal, state or local statute or ordinance.¹

In addition, there are other forms of discrimination and harassment, based on characteristics that are not protected by these statutes. It is the policy of Calvin College that, although the law may not expressly prohibit such behaviors, such behaviors nevertheless have no place here, they violate this policy, and will be subject to disciplinary action. Illustrative examples include discrimination or harassment based upon physical appearance or social or economic status.

B. Accommodation of Disabilities
In addition to prohibiting discrimination on the basis of disability, the college is committed to fulfilling its legal obligations to provide accommodation.

A disability is a physical or mental substantial impairment that significantly limits or restricts a major life activity such as hearing, seeing, speaking, breathing, performing manual tasks, walking or caring for oneself.

a. Students with Disabilities. Calvin College is committed to providing qualified students with disabilities with reasonable accommodations and support needed to ensure equal access to the academic programs and activities of the college. Requests for an accommodation should be directed to the Office of Academic Services.

b. Employees with Disabilities. Calvin College is committed to providing reasonable accommodation(s) to all qualified employees with known disabilities, where their disability affects the performance of their essential job functions, except where doing so would result in undue hardship to the college. An employee with a disability who needs an accommodation to perform the essential functions of his/her job should contact the Human Resources Office to make such a request.

III. Prohibited Conduct
The college is committed to creating and maintaining safe spaces for learning, living and working. Accordingly, the conduct described below is strictly prohibited.

A. Discrimination and Harassment. Discrimination is defined as unequal, adverse treatment of an individual because of his or her protected legal status, such as race, age, or gender. For instance, different treatment of two similar individuals with respect to pay, opportunity for advancement, or educational opportunity

¹ First Amendment Considerations: Because Calvin College is a Christian institution, the college may, under the Free Exercise Clause of the First Amendment to the Constitution of the United States and various relevant statutes, lawfully discriminate on the basis of religious and confessional criteria in its employment and educational practices. One example is the College’s use of religious faith, confessional commitments and church membership as conditions of employment for faculty and administrators with faculty status. Another example relates to sexual conduct. Though it is the College’s policy to assure equal opportunity in its hiring, personnel practices and admissions without regard to marital status or sexual orientation, sexual relations outside of marriage are proscribed (see e.g., Handbook for Teaching Faculty, Section 6.1.2). Marriage is understood by the College and the Christian Reformed Church, with which it is affiliated, to be a covenental union between a man and a woman.
constitutes discrimination if the reason for the different treatment is the protected status of one of the individuals.

A common and invidious form of discrimination is harassment. Although commonly thought of as “sexual harassment” (see below), this policy also prohibits harassment based on race, age, disability, appearance, sexual orientation or any other characteristic protected by law or by college policy.

Harassment is defined as unwelcome verbal or physical conduct that is sufficiently severe, persistent or pervasive such that it unreasonably interferes with, denies, or limits someone’s employment access, benefits or opportunities, and/or the ability to participate in or benefit from the college’s educational program and/or activities, and is based on power differentials (quid pro quo), creates a hostile environment, or constitutes retaliation.

Examples of harassment based on actual or perceived membership of a protected characteristic, whether race, ethnicity, gender, age, or any other protected characteristic include, but are not limited to:

- epithets, slurs, denigrating jokes or negative stereotyping;
- threatening or causing physical harm, extreme verbal abuse, or other conduct which threatens or endangers health or safety;
- written or graphic material that degrades or shows hostility or aversion;
- pranks or horseplay intended to embarrass or humiliate;
- imposing submission to unwelcome verbal or physical conduct;
- stalking, bullying, hazing;
- any other action that is motivated by the actual or perceived membership of the victim in a protected class.

B. Sexual Misconduct

Although many acts of sexual misconduct can be addressed within a general nondiscrimination and harassment policy, federal regulations require institutions of higher education who receive federal funding to address with specificity sexual misconduct. Sexual misconduct includes, but is not limited to, the following prohibited conduct: sexual harassment, non-consensual sexual contact, non-consensual sexual intercourse, sexual exploitation, and consensual romantic and sexual relationships between people of unequal power. Definitions and illustrations of this conduct are found in Appendix B of this policy.

C. Retaliation

Retaliation, also called retaliatory harassment, is any adverse employment or educational action taken against a person because of the person’s participation in a complaint or investigation of discrimination or harassment of any kind. Retaliation against an individual for alleging harassment, for supporting a complainant or for assisting in providing information relevant to a claim of harassment is a serious violation of Calvin College policy. Individuals who engage in such actions are subject to discipline up to and including suspension or dismissal from the college, consistent with the college’s procedures. Acts of alleged retaliation should be reported
immediately to the SSA or one of the Safer Spacers Coordinators and will be promptly investigated. Calvin College is prepared to take appropriate steps to protect individuals who fear they may be subjected to retaliation. [Illustrations of retaliation are found in Appendix C of this policy – To be developed summer 2014.]

IV. Reporting of Offenses under This Policy

A. Reporting is Vital
Violations of this Policy, including gender and sex-based harassment and discrimination, must be reported under Federal law. Whoever receives such reports or observes such behavior is required to report all violations. The College’s commitment to an environment free from discrimination and harassment calls on every member of the college community to be vigilant in deterring and reporting all violations.

B. Guidance and Counseling to Support the Reporter

Reporting may pose concerns about confidentiality, the effect on the reporter or on other persons. Or a reporter may wonder whether the observed offense is serious enough to report. To assist and support the reporter, the following resources are available:

- Broene Counseling Center Counselors
- Campus Health Service Providers
- Chaplains from Campus Ministries
- Off-Campus local and state assistance agencies – [link: CalvinStudent Reporting Options for Sexual and Relationship Offenses20142015.docx]
- The SSA or Safer Spaces Coordinators

B. Confidentiality
Confidentiality and privacy for the reporter are valued. In working with reporters, the college will be guided by the goals of empowering the victim and allowing the victim to retain as much control over the process as the case allows, but no college employee (other than counselors, healthcare providers, and clergy) can or may promise confidentiality over the course of the process. When the investigation and/or resolution process requires disclosure of certain information, the college will keep the reporter informed, and protected to the extent permitted by the circumstances.

C. Filing a Complaint
This Policy provides several choices for filing a complaint. Any member of the Calvin community or any visitor to the community who believes that the Safer Spaces policy has been violated is encouraged to contact the SSA or one of the Safer Spaces coordinators. It is also possible for employees to notify a supervisor, or for students to notify an administrator or faculty member. Members of the college community also may contact Campus Security. These individuals will in turn notify the SSA promptly, generally within twenty-four hours or less. The college’s hotline telephone number (616-526-4974) or the college’s online reporting form also can serve to initiate a complaint. [Link to: http://www.calvin.edu/judicial/report.html.]
In addition to reporting acts of discrimination, harassment and retaliation internally to the SSA, students, faculty, and staff are also encouraged to report any and all suspected and/or actual criminal activity (accurately and promptly), to the office of campus safety or local law enforcement authorities.

D. Complaint Intake
Following receipt of notice or a complaint, the SSA or designated coordinator will promptly assign a Calvin Safer Spaces Committee (CSSC) member to work as an advisor to the person who reported the complaint; alternatively the complainant may choose from the CSSC pool or choose a non-trained advisor from within the College community, if preferred, or proceed without an advisor. The SSA or coordinator will complete an initial assessment and make an initial determination whether a policy violation may have occurred and/or whether conflict resolution might be appropriate. If the complaint does not appear to allege a policy violation or if conflict resolution is desired by the complainant, and appears appropriate given the nature of the alleged behavior, then the complaint does not proceed to investigation.

A full investigation will be pursued if there is evidence of a serious violation, a pattern of misconduct, a perceived threat of further harm to the community or any of its members, or the complainant desires further action. Calvin College aims to complete all investigations within a 60 business day time period, which can be extended as necessary for appropriate cause by the SSA or Safer Spaces coordinators with notice to the parties.

E. Amnesty for Reporting Prohibited Misconduct
Calvin College seeks to remove any barriers to reporting by making the procedures for reporting transparent and straightforward. The college recognizes that an individual who has been drinking or using drugs at the time of an incident may be hesitant to make a report because of potential consequences for his/her own conduct. An individual who reports misconduct, either as a complainant or a third party witness, will not be subject to disciplinary action by the college for his/her own personal consumption of alcohol or drugs at or near the time of the incident, provided that the specific incident has not come to the college’s attention via normal reporting channels and/or any such violations did not and do not place the health or safety of any other person at risk. The college may, however, initiate an educational discussion or pursue other educational remedies regarding alcohol or other drugs.

F. Bystander Intervention
Calvin College expects all community members to take reasonable and prudent actions to prevent or stop an act of misconduct. Taking action may include direct non-violent intervention, calling law enforcement, and seeking assistance from a person in authority. Community members who choose to exercise this positive moral obligation in good faith and a reasonable manner will be supported by the college and protected from retaliation.
**G. False Complaints**

Calvin College will seriously investigate all complaints. However, it also recognizes that false complaints are likely to cause significant damage to the person and reputation of an individual who is wrongfully accused. Individuals found to have knowingly made false complaints will be subject to disciplinary action. A complaint that is erroneous but made in good faith will not be subject to disciplinary action.

**V. Investigation**

The Complaint will be referred to one or more CSSC persons properly trained to do investigations. The investigation will be conducted with no pre-disposition position towards any particular finding or result. The investigation will be a fair, objective, impartial and thorough inquiry into the allegations of the Complaint, the responses and defenses raised by the respondent, and other relevant issues. Complainants and respondents, as well as other witnesses, will be respected and their suggestions and input concerning the scope and focus of the investigation will be given due regard. When appropriate or needed, the SSA may utilize outside assistance in conducting an investigation.

The SSA will notify the President and appropriate Vice-Presidents when an investigation begins and update them as needed throughout the process.

Please note: Membership of the Calvin Safer Spaces Committee (CSSC) is communicated annually to campus members, prospective students, their parents, and prospective employees. The list of CSSC members and a description of the committee’s responsibilities can be found at [link](http://www.calvin.edu/about/safer-spaces/#V) The SSA, in consultation with the PSC, recommends faculty CSSC appointments to the President. The SSA, in consultation with the college Vice-Presidents, recommends staff CSSC appointments to the President.

Members of the CSSC are trained in all aspects of the resolution process and can serve as investigators and as members of the Calvin Hearing Panel (CHP). CSSC members, once trained, are required to attend annual refresher trainings.

**VI. Results of Investigation**

The SSA/Coordinator will review the results of the investigation to confirm that the investigation has been fair, objective, impartial, and thorough and that College policies have been followed. The investigators will prepare a Report of Results of Investigation (RRI). The format and degree of detail of the RRI will be appropriate to the Complaint Resolution process that is likely to be, or has been, selected by the SSA. The SSA/Coordinator may direct that the RRI be expanded or otherwise changed if the Complaint Resolution Process is changed or additional investigation has been requested.

When a Hearing is selected as the Complaint Resolution Process, the RRI will be the primary evidence that is submitted at the hearing and upon which the decision will be based. Accordingly, the RRI in all cases involving formal hearing must be sufficiently detailed and thorough to support the hearing process and to provide fairness to all participants.
VII. Complaint Resolution

Based on the results of investigation the SSA or designated coordinator, will decide on the next step(s) which may include:

- No further action or investigation
- Additional investigation
- Education, counseling or other informal remedial actions
- Referral to Conflict Resolution – see below
- Resolution Without a Hearing – see below
- Hearing – see below

Conflict Resolution – this process may be selected by the SSA/Coordinator when all parties are willing and when consistent with the nature of the issue; conflict resolution may not be used in cases of sexual assault or other violent behavior.

Resolution Without a Hearing – this process ordinarily will be based on a presentation of the results of the investigation to the respondent, acceptance of responsibility by the respondent and agreement between the SSA and the respondent on findings, sanctions and remedies. The complainant is also informed of the outcome of a resolution without a hearing and may ask the SSA to reconsider decisions made or may request a hearing.

VIII. Hearing

A. Calvin Hearing Panel (CHP) - The SSA/Coordinator will appoint a Chair and two additional members of the CSSC, none of whom have been previously involved with the complaint, to serve on the CHP. The SSA will consider the roles and functions of CHP members to ensure the panel has the necessary expertise to make sound judgments.

B. Written charges – charges will be made in writing by the SSA/Coordinator and will include the following:
   - A list of the policies allegedly violated
   - The RRI, which will include all relevant evidence produced in the investigation including evidence that tends to support the charges and evidence that tends to refute the charges, and will be written so as to correlate the results of investigation to each alleged policy violation

A copy of the written charges are sent to the complainant, the respondent, the appropriate VPs, and in the case of a faculty member, the department chair. In the case of a faculty member, the PSC and the President will be notified that a formal hearing is commencing.

C. Fair Hearing Rights
   All parties are entitled to a fair hearing that will include the following opportunities and rights:
   - To be treated with respect by college officials
   - To have an advisor during the process
• To respond to all evidence, specifically including the opportunity to review and respond to the contents of the RRI.
• To a decision by the CHP that is based solely on evidence that is reviewed by all parties
• To request “Resolution without a Hearing” or “Conflict Resolution” at any stage during the hearing; the CHP may confer with the SSA regarding such request, the request should not allowed to delay or distract the hearing process.

IX. Interim Actions and Remedies

At any stage of the process the SSA/Coordinator, ordinarily in consultation with the applicable supervisory vice president(s) and/or others, may issue interim remedies.

The remedy must be reasonably designed to:

• Protect the safety and well-being of participants in the process or other persons in the College community;
• Support the Complaint and Investigation Process;
• Otherwise support the goals, objectives and best interests of the College and its policies.

The remedies may include:

• Counseling or other support services
• Altering housing, work assignments and schedules, academic assignments and/or responsibilities;
• Escorts, other security arrangements;
• Suspensions with pay of employees (staff or faculty);
• Suspension of students or student organizations.
• Regular – other actions appropriate to the circumstances

Violations of interim remedies are forbidden and such violations may result in additional charges and may subject the violator to expulsion or termination of employment or other serious sanctions.

X. CHP’s Recommendation, Findings and Sanctions

The CHP will conduct its deliberations in closed session and will base its recommended findings and sanctions solely on the evidence. The CHP will prepare its written Recommended Findings and Sanctions (RFS) based on the “preponderance of evidence” standard. The RFS will address each of the alleged policy violations and will list recommended sanctions. The RFS will be provided in writing to the SSA, who will determine and confirm that the hearing procedure and the RFS is consistent with and has followed College policies. Once the SSA has endorsed the RFS as following proper procedures, the SSA will distribute the RFS to the following: The complainant, the respondent, the appropriate VPs, and the President. If the respondent is a faculty member, the RFS should also be provided to the PSC.

XI. Appeals

All requests for appeal considerations must be submitted in writing to the SSA/Coordinator.
Any party may appeal, but appeals are limited to the following:

- A procedural error or omission occurred that significantly impacted the outcome of the hearing (e.g. substantiated bias, material deviation from established procedures, etc.).
- To consider new evidence, unknown or unavailable during the original hearing or investigation, that could substantially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included.
- The imposed sanctions imposed are substantially disproportionate to the severity of the violation

A three-member panel, chosen by the SSA and constituted following the process for the first hearing panel, who were not involved in the complaint previously, will consider all appeal requests. Once an appeal is decided, the outcome is final and binding: further appeals are not permitted.

XII. President’s Review

The SSA will provide the president with the RFS and confirmation of the fairness of the process. If the president wishes to change and/or remand the findings and/or sanctions, the president will do so in consultation with the SSA and others such as the supervisory VP and PSC.

XIII. Process for Revisions

The Safer Spaces administrator has permission to change policy language in those cases where the federal government and/or the OCR changes its preferred language for certain kinds of behavior and when the description of the processes described here can be made clearer. The changes will be published to the Calvin community and also communicated for information to the Faculty Senate and the Board of Trustees.
APPENDIX A

STATEMENT ON RACIAL HARASSMENT

While the *Safer Spaces* policy generally prohibits discrimination and harassment in employment and in access to educational opportunities on the basis of legally protected characteristics (see page 2), this statement on racial harassment is intended to stipulate the college’s position prohibiting racial, ethnic, and cultural harassment within the Calvin College community. Therefore, this statement shall be interpreted in its broadest sense, and not specifically limited to an exhausted list of situations. However, this policy is not intended to discourage or impede serious and responsible attention to issues of race, ethnicity, or other markers of cultural differences. Rather, it is expected that this policy will guide the college’s efforts of becoming a safe environment for students, staff, faculty, and guests of the college.

A. DEFINITIONS

No member of the Calvin College community shall engage in racial, ethnic, or cultural harassment. Harassment includes, but is not limited to:

1. Harassing remarks or actions serving no scholarly, artistic, or educational purpose that are made directly or indirectly toward individuals or groups due to their race, ethnicity, or culture.
2. Intimidating, hostile, humiliating, or demeaning remarks or actions based on race, ethnicity, or culture which, whether intentional or unintentional, interfere with or threaten an individual’s or group’s participation in the life of the College, including academic or co-curricular activities. This may include actions or public displays of material that serve no scholarly, artistic, or educational purpose.

B. INTERPRETIVE GUIDELINES

Examples of racial, ethnic, or cultural harassment include, but are not limited to: racial epithets, derogatory comments, jokes, or ridicule directed to a specific person or persons about their race, ethnicity, or culture; threats of or actual violence based upon race or ethnicity or culture of the victim; defacement of property based on race, ethnicity, or culture of the owner; remarks or conduct based on race, ethnicity, or culture, even if it is not directed at a specific person or persons, which unreasonably affects the ability of persons to participate in college programs.

In determining whether an act constitutes racial or ethnic harassment, the totality of the circumstances that pertain to any given incident in its context must be carefully reviewed and due consideration must be given to the protection of individual rights, freedom of speech, academic freedom, and advocacy.

C. REPORTING OF OFFENSES

1. For guidance and counseling to support the reporter refer to section IV.B (internal link)
2. For confidentiality guidelines refer to section IV.C (internal link)
3. In addition to the procedures for filing a complaint under section IV.D (internal link) Students may report incidents of racial, ethnic, and cultural harassment at [http://www.calvin.edu/offices-services/intercultural-student-development/report-bias-incident.html](http://www.calvin.edu/offices-services/intercultural-student-development/report-bias-incident.html). Reports filed through this link are reviewed by the dean for intercultural student development.
development who, in consultation with other Safer Spaces Coordinators, recommends next steps.

Faculty and staff may report incidents of racial, ethnic, and cultural harassment at [link: http://www.calvin.edu/about/safer-spaces/](http://www.calvin.edu/about/safer-spaces/) Reports filed through this link are reviewed by Safer Spaces Administrator who, in consultation with other Safer Spaces Coordinators, recommends next steps.

4. For the College’s policy on false complaints see section IV.G [internal link]

D. COMPLAINT RESOLUTION

See section VII for information on complaint resolution options. [internal link]
APPENDIX B

SEXUAL MISCONDUCT

Prohibited sexual misconduct includes, but is not limited to, the following prohibited conduct: sexual harassment, non-consensual sexual contact, non-consensual sexual intercourse, sexual exploitation, and consensual romantic and sexual relationship between people of unequal power.

A. Sexual Harassment.

Sexual harassment is defined as unwelcome gender-based verbal or physical conduct that is sufficiently severe, persistent, or pervasive such that it unreasonably interferes with, denies, or limits someone’s employment access, benefits or opportunities, and/or the ability to participate in or benefit from the college’s educational program and/or activities, and is based on power differentials (quid pro quo), the creation of a hostile environment, or retaliation.

B. Non-Consensual Sexual Contact.

Non-consensual sexual contact is defined as any intentional sexual touching, however slight, with any object, by one person upon another that is without consent and/or by force.

Sexual touching includes any bodily contact with the breasts, groin, genitals, mouth or other bodily orifice of another individual, or any other bodily contact in a sexual manner.

C. Non-Consensual Sexual Intercourse.

Non-consensual sexual intercourse is defined as any sexual intercourse, however slight, with any object, by one person upon another that is without consent and/or by force.

Intercourse includes vaginal or anal penetration by a penis, object, tongue or finger, or oral copulation.

D. Sexual Exploitation.

Sexual exploitation refers to a situation in which a person takes non-consensual or abusive sexual advantage of another, and situations in which the conduct does not fall within the definitions of sexual harassment, non-consensual sexual intercourse or non-consensual sexual contact.

E. Romantic and/or Sexual Consensual Relationships between People with Unequal Power.

There are inherent risks in any romantic or sexual relationship between individuals in unequal positions (e.g., faculty and student, supervisor and employee). The unequal power inherent in such relationships, even if consensual, heightens the vulnerability of the person with less power and heightens the potential for coercion and abuse. In addition, these relationships may be less consensual than perceived by the individual whose position confers power. The relationship also may be viewed in different ways by each of the parties, particularly in retrospect. Furthermore, circumstances may change, and conduct that was previously welcome may become unwelcome. Even when both parties have consented at the outset to a romantic or sexual involvement, this past consent may not remove grounds for a later charge.
of a violation of applicable sections of this policy. Such relationships can also create a hostile learning and work environment for others.

Examples of the kinds of relationships prohibited by this policy include:

- Faculty and students. The decision to become a faculty member at the college presumes an educational and mentoring relationship with any student and precludes engaging in such a romantic relationship with any student.
- Staff or volunteers who have mentoring or supervisory relationships with students. The decision to become a staff member or a volunteer in a position that is defined by mentoring or supervision precludes engaging in such a romantic relationship with any student.
- Supervisors and subordinates. Romantic relationships are not allowed between employees of Calvin College when a supervisory relationship is involved. This applies to all employees and their supervisors. The power differential makes such relationships open to abuse and to charges of sexual harassment or unprofessional conduct. Such relationships can also create a hostile work environment for others. Should romantic relationships develop, the supervisor should inform his/her supervisor so that appropriate actions can be made to remove the involved supervisor from direct supervision of the employee.

Note that Calvin’s Policy on Employment of Relatives (Handbook for Teaching Faculty Section 6.7 and Employee Handbook) forbids spouses and other immediate family members from supervising one another, and requires approval of the Associate Vice-President for Human Resources for spouses to be co-workers in the same department.

Where students have supervisory employment roles with other students (e.g., in Food Services), a mentoring role (e.g., resident assistants in the residence halls), or otherwise have authority that affects the work or educational environment of other students, they are discouraged from having a romantic relationship with a student under their authority. If such relationships exist, the student in the supervisory role must disclose this to his/her supervisor.

Exceptions to the above prohibitions (e.g., in the circumstances of a pre-existing relationship) will be considered by the provost or the Associate Vice-President of Human Resources on a limited, case-by-case basis. Faculty or staff with questions about the application or effect of this policy should consult with the provost or the Associate Vice-President of Human Resources.